

## **PATENT APPLICATION**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Colin C.O. GOBLE

Group Art Unit: 3739

Application No.: 10/743,095

Examiner: A. TOY

Filed: December 23, 2003

Docket No.: 117343

For: AN ELECTROSURGICAL GENERATOR

**TERMINAL DISCLAIMER--COPENDING APPLICATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Your Petitioner, Gyrus Medal Limited, represents that it is the owner of a 100% interest in the above-captioned patent application by virtue of an Assignment filed December 23, 2003, and recorded at Reel 014843, Frame 0931. The undersigned also certifies that he is empowered to execute this Terminal Disclaimer on behalf of the assignee.

Your Petitioner hereby disclaims the terminal part of the statutory term of any patent granted on the above-captioned application, which would extend beyond the expiration of the full statutory term as presently shortened by any Terminal Disclaimer, of any U.S. Patent to issue on copending U.S. Patent Application No. 11/032,141 and hereby agrees that any patent so granted on the above-captioned application shall be enforceable only for and during such period that the legal title to said U.S. Patent shall be the same as the legal title to any patent issuing from the above-captioned application, this agreement to run with any patent granted on the above-captioned application and to be binding upon the grantee, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-captioned application prior to the expiration of the full statutory term as presently shortened by any Terminal Disclaimer of said U.S. Patent in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any Terminal Disclaimer.

The fees associated with this filing under 35 U.S.C. §41(a)(5) are being paid electronically with this filing. The Commissioner is hereby authorized to charge any additional fee (or credit any overpayment) associated with this communication to Deposit Account No. 15-0461.

DATE: December 11, 2006

**SIGNED:**

**TYPED NAME:**

**TITLE OR REGISTRATION NO.  
OF ATTORNEY OF RECORD:**

Joel S. Armstrong

36.430